

Smith Memorial Student Union Kitchen Hood Replacement

Solicitation #1521

Invitation to Bid **TO OUS RETAINER CONTRACTORS ONLY**

For General Contractor Services



Portland State
UNIVERSITY

April 4, 2014

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SECTION 1 - INVITATION TO BID DOCUMENTS

1.1 NOTICE OF RETAINER CONTRACT OPPORTUNITY

THIS OPPORTUNITY IS ONLY AVAILABLE TO CONTRACTORS WITH A CURRENT OREGON UNIVERSITY SYSTEM (OUS) RETAINER CONTRACT FOR CONSTRUCTION RELATED SERVICES.

The State Board of Higher Education, acting by and through Portland State University (“Owner”) is accepting sealed bids for a public improvement project at the Office of Facilities and Property Management, 617 SW Montgomery Street, Suite 202, Portland, Oregon for the **Smith Memorial Student Union (SMSU) Kitchen Hood Replacement** project located at 1825 SW Broadway, Portland, Oregon (“Project”).

The general contractor (“Contractor”) will be responsible for the following scope of work for construction-related services, including, without limitation:

The removal of an existing commercial kitchen exhaust hood and associated ducting and fire suppression system and the installation of a new commercial kitchen exhaust hood and associated ducting and fire suppression system. The kitchen hood is located in the basement of Smith Memorial Student Union (SMSU). The ducting for the hood runs vertically from that location through the roof five stories above.

Work also includes the replacement of the ceiling and other finishes as impacted by the hood and duct installation. Asbestos removal will be required for this Project, but will be contracted separately by the Owner. However, the contractor for the hood replacement will be required to coordinate work with the abatement contractor.

Although the kitchen will be off line during the summer months, all other areas of SMSU will be fully occupied and operational during the course of this work. The Contractor must work closely with SMSU and PSU staff to stage work so as to impact the users as little as possible.

It is known that there is asbestos in this area. PSU shall contract separately to remove any asbestos as needed.

Work must be completed by no later than August 31, 2014 or liquidated damages will be assessed at the rate of \$500/day from September 1, 2014 to September 7, 2014, and \$1000 per day from September 8, 2014 forward.

A **mandatory pre-bid conference examination of the site and conditions** will be conducted. Attendance will be documented through a sign-in sheet prepared by the OUS representative. Prime bidders who arrive more than 5 minutes after start of time of the meeting (as stated in the solicitation and by the OUS representative’s watch) or after the discussion portion of the meeting (whichever comes first) will not be permitted to submit a bid on the project.

Bids will be opened and publicly read aloud by the Owner’s representative or designee.

Bids will be received on a lump-sum basis for all of the work. **Bid packets may be obtained on the OUS Bid and Business Opportunities website (<http://secure.ous.edu/bid/>).**

All bidders must comply with requirements of the prevailing wage law in ORS 279C.800 through ORS 279C.870. All bidders must be registered with the Construction Contractor’s Board at the time of bid submission. No bid will be considered unless fully completed in the manner provided in the “Instructions to Bidders” upon the Bid Form provided and accompanied by Bid Security. OUS encourages bids from Minority, Women, and Emerging Small Businesses.

The project schedule is identified below; if there are any changes to the dates, they shall be noted in a subsequent Addendum.

ITB schedule is as follows:

- April 4, 2014 Advertisement of Invitation to Bid on the OUS Website
- April 8, 2014 @ 10:00 AM local timeMandatory conference & pre-bid walk-through**
Meet on the second floor of the University Services Building located at 617 SW Montgomery Street, Portland, OR 97201
**Note: Parking is difficult to find at PSU. Please schedule your time accordingly.
- April 10, 2014 @ 10:00 AM local time Second bid walk (non-mandatory)
Meet on the second floor of the University Services Building located at 617 SW Montgomery Street, Portland, OR 97201
**Note: Parking is difficult to find at PSU. Please schedule your time accordingly.
- April 24, 2014 @ 5:00 PM local time Questions, substitution requests, solicitation protest deadline
- April 28, 2014 Final addendum published if needed
- May 1, 2014 @ 10:00 AM local timeBids Due and Public Bid Opening**
Submit bids at the University Services Building located at 617 SW Montgomery Street, Portland, OR 97201

The following dates are tentative and subject to change without notice:

- May 2, 2014 Notice of Intent to Award
- May 8, 2014 @ 5:00 PM local time Selection protest period ends
- May 9, 2014 PSU finalizes Agreement

Schedule Milestones

- June 30, 2014 Tentative Construction Start Date
- August 25, 2014 Substantial Completion Date
- August 31, 2014 Final Completion Date, Liquidated Damages accrue after this date

Owner reserves the right to accept or reject any or all bids received in response to the ITB, to request either wholly or in part new bids, or to negotiate with any bidder considered qualified in any manner deemed to be in the best interest of Owner.

RESPONSE DATE

To be considered for selection, bids must arrive at Portland State University’s Facilities and Property Management office by the bid due date and time noted on the ITB schedule above. Faxed and/or e-mailed bids will not be accepted. Applicants who mail packages must include the project name and allow ample delivery time to ensure timely arrival.

FOR DELIVERY:

Portland State University
Contracting and Procurement Services
Attn: Cate Antisdell
SMSU Kitchen Hood Replacement ITB
1600 SW 4th Avenue, Suite 260
Portland OR 97201

FOR MAIL: (Not Recommended)

Portland State University
Contracting and Procurement Services
Attn: Cate Antisdell
SMSU Kitchen Hood Replacement ITB
PO Box 751, Mail Stop: FAST-CAPS
Portland OR 97207-0751

EQUAL EMPLOYMENT COMPLIANCE REQUIREMENT; SEXUAL HARASSMENT

By submitting a bid, the bidder certifies conformance to the applicable federal, state and local laws, acts, executive orders, statutes, administrative rules, regulations, ordinance and related court rulings concerning Affirmative Action toward Equal Employment Opportunities. All information and reports required by the Federal or Oregon State or local Governments, having responsibility for the enforcement of the foregoing, shall be supplied to the Owner upon request for purposes of investigation to ascertain compliance with the foregoing.

The Owner is committed to increasing opportunities for Emerging Small Businesses and Minority and Women Owned Businesses, and Owner strongly encourages its contractors to use these businesses in providing services and materials for Owner contracts and projects.

Pursuant to OAR 580-061-0030, by submitting a bid, the bidder certifies that the bidder has not discriminated against Minority, Women or Emerging Small Business Enterprises in obtaining any required subcontracts.

Pursuant to OAR-061-0040, bidders are hereby notified that the OSBHE has adopted policies applicable to consultants and contractors that prohibit sexual harassment and that bidder and their employees are required to adhere to Owner’s policy prohibiting sexual harassment in their interactions with members of Owner’s community.

PROTESTS

1. Solicitation Protests:

Prospective bidders may submit questions, requests for clarification or change or protests of particular solicitation provisions and specifications and conditions (including comments on any specifications that

a firm believes limits competition) in writing to Portland State University Construction Contracts Staff via email proposals@pdx.edu. These must be received by the protest deadline listed above. Such requests for clarification or change or protests must include the reasons for the request or protest and any proposed changes to the solicitation provisions and specifications and conditions.

Questions and requests for clarification or change that are timely received will be answered via addenda. Protests will be answered directly with the protesting bidder. Any changes arising from questions, requests for clarification or change or protests will be made only via addenda to the ITB. Responses from Owner not contained in an official addendum to the solicitation will not be binding on Owner. Bidders are encouraged to check on the status of all addenda prior to submission of their bid.

2. Selection Protest:

Any bidder who responds to this solicitation and claims to have been adversely affected or aggrieved by the selection of competing bidders may submit a written protest to:

FOR DELIVERY:

Portland State University
Contracting and Procurement Services
Attn: Cate Antisdell
PROTEST – SMSU Kitchen Hood Replacement ITB
1600 SW Fourth Avenue, Suite 260
Portland OR 97201

FOR MAIL: (Not Recommended)

Portland State University
Contracting and Procurement Services
Attn: Cate Antisdell
PROTEST - SMSU Kitchen Hood Replacement ITB
PO Box 751, Mail Stop: FAST-CAPS
Portland OR 97207-0751

The written protest must be received by the protest deadline listed above.

Protests will be answered directly to the protesting bidder. Selection protests must comply with and will be addressed pursuant to OAR 580-061-0145.

ADDENDA

This solicitation will be modified only by documents issued as addenda by Owner. No other direction or comments received by bidders, written or oral, will serve to change the solicitation document.

1.2 BID FORM

**OREGON UNIVERSITY SYSTEM
STANDARD RETAINER CONTRACT
BID FORM**

OUS CAMPUS: Portland State University

PROJECT: **SMSU Kitchen Hood Replacement**

BIDS DUE: May 1, 2014 at 10:00 AM local time

BID OPENING: May 1, 2014 at 10:00 AM local time

FROM: _____
Name of Contractor

TO: The Oregon State Board of Higher Education, acting by and through Portland State University, Contracting and Procurement Services.

1. The Undersigned (*check one of the following and insert information requested*):

- ___ a. An individual doing business under an assumed name registered under the laws of the State of _____; or
- ___ b. A partnership registered under the laws of the State of _____; or
- ___ c. A corporation organized under the laws of the State of _____; or
- ___ d. A limited liability corporation organized under the laws of the State of _____;

hereby proposes to furnish all material and labor and perform all work hereinafter indicated for the above project in strict accordance with the Contract Documents for the Basic Bid as follows:

_____ Dollars (\$_____)

and the Undersigned agrees to be bound by the following documents:

- Advertisement for Bids or Notice of Retainer Contract Opportunity
- Instructions to Bidders
- Supplemental Instructions to Bidders, if any
- Bid Bond
- Sample Retainer Contract Supplement
- Performance Bond and Payment Bond
- OUS Retainer Contract General Conditions, July 1, 2012
- Supplemental OUS Retainer Contract General Conditions, if any

- Plans and Specifications
- Drawings and Details
- Prevailing Wage Rates
- Payroll and Certified Statement Form
- Any ADDENDA numbered ____ through____, inclusive (*fill in blanks*).

2. RESERVED

3. RESERVED

4. The substantial completion date shall be **August 25, 2014**. The final completion date shall be **August 31, 2014**.

5. Accompanying herewith is Bid Security which is equal to ten (10) percent of the total amount of the Basic Bid.

6. The Undersigned agrees, if awarded the Contract, to execute and deliver to the Oregon State Board of Higher Education, within twenty (20) calendar days after receiving the Contract forms, an Agreement Form, and a satisfactory Performance Bond and Payment Bond each in an amount equal to one hundred (100) percent of the Contract sum, using forms provided by the Owner. The surety requested to issue the Performance Bond and Payment Bond will be:

_____.
(*name of surety company - not insurance agency*)

The Undersigned hereby authorizes said surety company to disclose any information to the Owner concerning the Undersigned's ability to supply a Performance Bond and Payment Bond each in the amount of the Contract.

7. The Undersigned further agrees that the Bid Security accompanying the Bid is left in escrow with the Board; that the amount thereof is the measure of liquidated damages which the Owner will sustain by the failure of the Undersigned to execute and deliver the above-named Agreement Form, Performance Bond and Payment Bond, and that if the Undersigned defaults in either executing the Agreement Form or providing the Performance Bond and Payment Bond within twenty (20) calendar days after receiving the Contract forms, then the Bid Security may become the property of the Owner at the Owner's option; but if the Bid is not accepted within thirty (30) calendar days of the time set for the opening of the Bids, or if the Undersigned executes and timely delivers said Agreement Form, Performance Bond and Payment Bond, the Bid Security shall be returned.

8. The Undersigned certifies that: (1) This Bid has been arrived at independently and is being submitted without collusion with and without any agreement, understanding, or planned common course of action with any other vendor of materials, supplies, equipment or services described in the invitation to bid designed to limit independent bidding or competition; and (2) The contents of the Bid have not been communicated by the Undersigned or its employees or agents to any person not an employee or agent of the Undersigned or its surety on any Bond furnished with the Bid and will not be communicated to such person prior to the official opening of the Bid.

9. The undersigned **HAS, HAS NOT** (*circle applicable status*) paid unemployment or income taxes in Oregon within the past 12 months and **HAS, HAS NOT** (*circle applicable status*) a business address in Oregon.

10. The Undersigned agrees, if awarded a contract, to comply with the provisions of ORS 279C.800 through 279C.870 pertaining to the payment of the prevailing rates of wage.

11. Contractor's CCB registration number is _____. As a condition to submitting a bid, a Contractor must be registered with the Oregon Construction Contractors Board in accordance with ORS 701.035 to 701.055, and disclose the registration number. Failure to register and disclose the number will make the bid unresponsive and it will be rejected, unless contrary to federal law.

12. The successful Bidder hereby certifies that all subcontractors who will perform construction work as described in ORS 701.005(2) were registered with the Construction Contractors Board in accordance with ORS 701.035 to 701.055 at the time the subcontractor(s) made a bid to work under the contract.

13. The successful Bidder hereby certifies that, in compliance with the Worker's Compensation Law of the State of Oregon, its Worker's Compensation Insurance provider is _____, Policy No. _____, and that Contractor shall submit Certificates of Insurance as required.

14. Contractor's Project Manager for this project is: _____,

Office Phone: _____ Cell Phone: _____.

15. The Undersigned certifies that it has not discriminated against minority, women, or emerging small businesses in obtaining any subcontracts for this project.

By signature below, Contractor agrees to be bound by this Bid.

NAME OF FIRM _____

ADDRESS _____

FEDERAL TAX ID _____

TELEPHONE NO _____

FAX NO _____

SIGNATURE 1) _____
Sole Individual

or 2) _____

Partner

or 3)

Authorized Officer of Corporation

(SEAL)

Attested: Secretary of Corporation

Payment information will be reported to the IRS under the name and taxpayer ID # provided above.
Information not matching IRS records could subject Contractor to 31 percent backup withholding.

******* END OF BID *******

1.3 BID BOND

**OREGON UNIVERSITY SYSTEM
STANDARD PUBLIC IMPROVEMENT CONTRACT
BID BOND**

We, _____, as "Principal,"
(Name of Principal)

and _____, an _____ Corporation,
(Name of Surety)

authorized to transact Surety business in Oregon, as "Surety," hereby jointly and severally bind ourselves, our respective heirs, executors, administrators, successors and assigns to pay unto the State of Oregon and the Oregon State Board of Higher Education ("Obligee") the sum of (\$ _____) _____ dollars.

WHEREAS, the condition of the obligation of this bond is that Principal has submitted its proposal or bid to an agency of the Obligee in response to Obligee's procurement document (# _____) for the project identified as **Smith Memorial Student Union Kitchen Hood Replacement** which proposal or bid is made a part of this bond by reference, and Principal is required to furnish bid security in an amount equal to ten (10%) percent of the total amount of the bid pursuant to the procurement document.

NOW, THEREFORE, if the proposal or bid submitted by Principal is accepted, and if a contract pursuant to the proposal or bid is awarded to Principal, and if Principal enters into and executes such contract within the time specified in the Instructions to Bidders and executes and delivers to Obligee its good and sufficient Performance Bond and Payment Bond required by Obligee within the time fixed by Obligee, then this obligation shall be void; otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, we have caused this instrument to be executed and sealed by our duly authorized legal representatives this _____ day of _____, 20 ____.

PRINCIPAL: _____

SURETY: _____

BY: _____

BY ATTORNEY-IN-FACT:

Signature

Official Capacity

Name

Attest: _____

Signature

Corporation Secretary

Address

City, State, Zip

Phone

Fax

END OF SECTION 1

SECTION 2 – DRAWINGS AND SPECIFICATIONS APPENDICES

- 2.1 SMSU ASBESTOS REPORT 7/10/08**
- 2.2 LIBRARY EAST ASBESTOS REPORT 6/23/08**
- 2.3 SMSU FLOOR PLANS**
- 2.4 SMSU CONSTRUCTION DOCUMENTS**

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- 3.1 INSTRUCTIONS TO BIDDERS**
- 3.2 SAMPLE OUS RETAINER CONTRACT SUPPLEMENT**
- 3.3 OUS GENERAL CONDITIONS FOR RETAINER CONTRACTS, JULY 1, 2012**
- 3.4 SUPPLEMENTAL GENERAL CONDITIONS**
- 3.5 PSU CAMPUS MAP**
- 3.6 DIVISION 1**